

**MINUTES OF THE
MEETING OF THE BOARD OF DIRECTORS
OF THE
BUFFALO AND ERIE COUNTY REGIONAL
DEVELOPMENT CORPORATION
(RDC)**

- DATE:** September 22, 2021
- LIVE STREAMED:** This Board meeting is being live-streamed and made accessible on the Erie County Industrial Development Agency website at www.ecidany.com.
- PRESENT:** Denise Abbott, Hon. Diane Benczkowski, Rev. Mark E. Blue, Hon. Joseph Emminger, Dottie Gallagher, Tyra Johnson, Hon. Brian Kulpa, Richard Lipsitz, Brenda W. McDuffie, Hon. Glenn R. Nellis, Paul Vukelic and Renee Wilson
- EXCUSED:** Hon. Bryon W. Brown, James Doherty, Hon. Howard Johnson, Hon. Mark C. Poloncarz, Hon. Darius G. Pridgen, Sister Denise Roche and Kenneth A. Schoetz
- OTHERS PRESENT:** John Cappellino, President & CEO; Mollie Profic, Chief Financial Officer; Karen M. Fiala, Vice President/Secretary; Atiqah Abidi, Assistant Treasurer; Gerald Manhard, Chief Lending Officer; Jamee Lanthier, Compliance Officer; Beth O'Keefe, Business Development Officer; Grant Lesswing, Business Development Officer; Brian Krygier, Systems Analyst; Carrie Hocienec, Operations Assistant; Robbie Ann McPherson, Director, Marketing & Communications, Pat Smith, Bookkeeper; and Robert G. Murray, Esq., General Counsel/Harris Beach PLLC
- GUESTS:** Deputy County Executive Maria Whyte; Andrew Federick, Erie County Senior Economic Development Specialist; Barry Carrigan on behalf of Nixon Peabody; Thomas Rybicki on behalf of PM Plastics; and Alex Carducci on behalf of the City of Buffalo

There being a quorum present at 1:11 p.m., the Meeting of the Board of Directors of the Buffalo and Erie County Regional Development Corporation was called to order by Chairwoman McDuffie.

MINUTES

The minutes of the July 28, 2021 meeting of the members were presented. Mr. Lipsitz moved and Ms. Abbott seconded, to approve of the minutes. Ms. McDuffie called for the vote, and the minutes were then unanimously approved.

REPORTS/ACTION ITEMS/INFORMATION ITEMS

Financial Report. Ms. Profic presented the August 2021 financial report, noting that the balance sheet shows that the RDC ended the month with total assets of \$21.8M and net assets of \$21.6M. The increase in assets from July is due mainly to increases in loans receivable, as two loans closed in August. The year-to-date income statement shows revenues of \$4.9M and \$290,000 of expenses, for net income of \$4.6M through August. Important to note is that CARES Act grant income for loans is not shown as an expense, which leads to this higher income figure.

Finance & Audit Committee Update. Ms. Profic advised that the Committee met on September 14 to review and recommend draft budgets to the Boards, subject to changes of \$100,000 or more to be reapproved by the Committee.

Budget Timetable. Ms. Profic presented a visual representation of the status of the 2022 budget process. The budgets have been reviewed and discussed in detail twice by the Finance & Audit Committee. After today's presentation of the draft budgets to the Board, there will be two budget Q&A sessions on October 5 and October 7. These optional sessions are for Board or Committee members and will be held virtually.

Review of Proposed 2022 Budget. The RDC's 2022 budget was presented. Ms. Profic gave an overview of the budget and any changes, along with risk factors impacting the budget. Budget revenue consist mainly of interest income from loans, at \$565,000 based on loans already closed and additional loans of \$3.75M of loans closed in 2022. Budgeted expenses are made up mainly of the ECIDA Management Fee (salary and benefit costs of ECIDA staff based on time spend on RDC business) and a provision for loan losses, estimated at 1.5% of projecting outstanding loans, \$250,000 to be conservative. The budgeted figures result in budgeted net income of \$23,000 for 2022.

Resolution to Appoint Vice President. Ms. Profic noted the request to appoint Elizabeth A. O'Keefe as Vice President due to Karen Fiala's impending retirement. Upon motion made by Mr. Nellis and seconded by Ms. Abbott to approve of Elizabeth A. O'Keefe as Vice President. Ms. McDuffie called for the vote and the following resolution was unanimously approved:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY REGIONAL
DEVELOPMENT CORPORATION (THE "RDC") APPOINTING
ELIZABETH A. O'KEEFE AS VICE PRESIDENT OF THE RDC

Banking Resolution. Ms. Profic requested the addition of Elizabeth A. O'Keefe as a signer for the bank accounts. Upon motion made by Mr. Nellis and seconded by Ms. Abbott to

approve of Elizabeth A. O’Keefe as additional M&T signor and to have Ms. Profic execute the M&T resolution, Ms. McDuffie called for the vote and the motion was then unanimously approved.

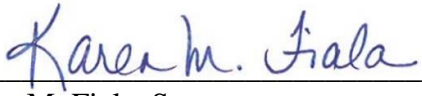
Loan Status Report. Mr. Manhard presented this report. Ms. McDuffie directed that the report be received and filed.

Approval of the Following Loan Cases: PM Plastics, Inc., 1 & 2 Bank Street, Orchard Park, New York. \$1,500,000 84-months Term Loan, Secured and Guaranteed. Mr. Manhard reviewed this \$1,500,000 loan request, proceeds of which will assist with business acquisition. Mr. Emminger advised that the RDC Loan Committee approved the loan request. General discussion approved.

Mr. Emminger moved and Mr. Nellis seconded to approve of the loan as proposed. Ms. McDuffie called for the vote and the requested loan was unanimously approved.

There being no further business to discuss, Ms. McDuffie adjourned the meeting of the Agency at 1:26 p.m.

Dated: September 22, 2021



Karen M. Fiala, Secretary